

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|-------------------------------------|---|----------------------------|
| PRECISION RX COMPOUNDING, LLC, |) | |
| C&M HEALTH PRO, LLC, NORTHERN VA |) | |
| COMPOUNDERS, PLLC, TOT |) | |
| ENTERPRISES II, PA, THE DAILY DOSE, |) | |
| LP, and CPRX PHARMACY, LP, |) | |
| Plaintiffs, |) | Case No. 4:16-cv-00069-RLW |
| VS. |) | |
| |) | |
| EXPRESS SCRIPTS HOLDING |) | |
| COMPANY and EXPRESS SCRIPTS, |) | |
| INC., |) | |
| Defendants. |) | |

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiffs, Precision Rx Compounding, LLC, C&M Health Pro, LLC, Northern VA Compounders, PLLC, Toth Enterprises II, PA, The Daily Dose, LP, and CRPX Pharmacy, LP (collectively, "Plaintiffs"), and Defendants, Express Scripts Holding Company and Express Scripts, Inc. (collectively, "Defendants"), pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate to the dismissal of Plaintiffs' claims in this action with prejudice, with each Party to bear its own respective attorneys' fees, costs, and expenses incurred in the defense and prosecution of this action. This stipulation does not include any pending counterclaims asserted by Defendants, which remain pending.

This stipulation constitutes the entire agreement of the parties and no payments were made by Defendants to Plaintiffs in connection herewith. The undersigned counsel represent and warrant that they have the consent and authorization of their respective clients to enter into this Stipulation.

DATED: May 31, 2018.

Respectfully Submitted,

/s/ Christopher A. Smith

Christopher A. Smith, #53266MO
Sarah C. Hellmann, #50373MO
Jason Husgen, #66761MO
Husch Blackwell LLP
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105
P: (314) 480-1500
F: (314) 480-1505
chris.smith@huschblackwell.com
sarah.hellmann@huschblackwell.com
jason.husgen@huschblackwell.com

Michael J. Lyle (*pro hac vice*)
Eric C. Lyttle (*pro hac vice*)
Ethan Glass (*pro hac vice*)
Meghan A. McCaffrey (*pro hac vice*)
Michael D. Bonanno (*pro hac vice*)
Quinn Emanuel Urquhart
& Sullivan LLP
1300 I Street NW, Suite 900
Washington, DC 20005
P: (202) 538-8000
F: (202) 538-8100
mikelyle@quinnemanuel.com
ericlyttle@quinnemanuel.com
ethanglass@quinnemanuel.com
meghanmccaffrey@quinnemanuel.com
mikebonanno@quinnemanuel.com

***Attorneys for Defendants Express
Scripts, Inc., and Express Scripts
Holding Company***

/s/ Steven L. Bloch

Steven L. Bloch (Pro Hac Vice #85371PA)
SILVER GOLUB & TEITELL LLP
184 Atlantic Street
Stamford, CT 06901
Phone: 203-325-4491
Facsimile: 203-325-3769
sbloch@sgtlaw.com

Anthony G. Simon #38745MO
John G. Simon #35231MO
Benjamin Askew #58933MO
THE SIMON LAW FIRM, P.C.
800 Market Street, Suite 1700
St. Louis, MO 63101
Phone: 314.241.2929
Facsimile: 314.241.2029
asimon@simonlawpc.com
jsimon@simonlawpc.com
baskew@simonlawpc.com

Richard J. Quadrino, Pro Hac Vice #2025807NY
Eugene S.R. Pagano Pro Hac Vice
Harold J. Levy, Pro Hac Vice #2381598NY
QUADRINO LAW GROUP, P.C.
225 Broadhollow Road, Suite 304
Melville, New York 11747
Phone: 631.815.5800
Facsimile: 631.815.5801
rjq@quadrinolawgroup.com
HJL@quadrinolawgroup.com
esrp@quadrinolawgroup.com

***Attorneys for Plaintiffs Grasso Enterprises,
LLC d/b/a Annie's Apothecary, and NERxD,
LLC d/b/a Cypress Compounding Pharmacy***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 31st day of May, 2018 a copy of the foregoing document was filed with the Clerk of the Court to be served upon counsel of record via the Court's ECF system.

/s/ Christopher A. Smith